

REMARKS/ARGUMENTS

The Applicant originally submitted Claims 1-20 in the application. In a preliminary amendment, the Applicant canceled Claims 1-20 without prejudice or disclaimer and added Claims 21-40. In a previous response, the Applicant amended Claims 21, 23, 28, 30, 34 and 37. In the present response, the Applicant has not amended, canceled or added any claims. Accordingly, Claims 21-40 are currently pending in the application.

I. Rejection of Claims 21-25 and 28-32 under 35 U.S.C. §102

The Examiner has rejected Claims 21-25 and 28-32 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,719,800 to Mittal, *et al.* The Applicant respectfully disagrees since Mittal does not teach reconfiguring a reconfigurable circuit by altering a power characteristic applied to at least a portion thereof as recited in independent Claims 21 and 28.

Mittal relates to reducing the power consumption of integrated circuits (IC). (*See* column 1, lines 6-7.) Mittal discloses a mode controller 107 that switches a functional unit 105 between a normal mode of operation (typically one with high performance and high power consumption) and a reduced-power mode 102 (typically one lower in performance and lower in power consumption). (*See* column 5, lines 13-30 and Figure 1.) The mode controller 107, however, does not reconfigure the functional unit 105. On the contrary, the mode controller 107 switches to the reduced-power mode by throttling the performance of the functional unit 105. (*See* column 4, lines 19-28.) Throttling the performance does not include reconfiguring a reconfigurable circuit but instead involves, for example, lowering an instruction retirement rate or an instruction issue

rate. (See column 3, lines 14-17.) Therefore, even assuming the functional unit 107 is a node located within a reconfigurable circuit as asserted by the Examiner, Mittal does not teach reconfiguring the reconfigurable circuit but instead teaches reducing power consumption by throttling performance of the functional unit. Mittal, therefore, does not teach reconfiguring a reconfigurable circuit as recited in independent Claims 21 and 28

Since Mittal does not disclose each and every element of independent Claims 21 and 28, Mittal does not anticipate independent Claims 21 and 28 and Claims dependent thereon. Accordingly, the Applicant respectfully requests the Examiner to withdraw the §102 rejection with respect to Claims 21-25 and 28-32 and allow issuance thereof.

II. Rejection of Claims 26-27 and 33-40 under 35 U.S.C. §103

The Examiner has rejected Claims 26-27 and 33-40 under 35 U.S.C. §103(a) as being unpatentable over Mittal. As discussed above, Mittal does not teach reconfiguring a reconfigurable circuit by altering a power characteristic applied to at least a portion thereof based on a comparison between a transition rate and a predetermined operating range as recited in independent Claims 21 and 28. More specifically, Mittal does not even teach reconfiguring a reconfigurable circuit. Additionally, Mittal does not suggest reconfiguring a reconfigurable circuit but instead teaches reducing power consumption by throttling the performance of a functional unit. (See column 4, lines 19-28.) Thus, Mittal neither teaches nor suggests each and every element of Claims 26-27 and 33 that depend on independent Claims 21 and 28, respectively.

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Additionally, Mittal does not teach or suggest each and every element of independent Claim 34 which also includes reconfiguring a reconfigurable circuit as recited in independent Claims 21 and 28. Mittal, therefore, fails to teach or suggest the invention recited in independent Claims 21, 28 and 34. As such, Mittal does not provide a *prima facie* case of obviousness of independent Claims 21, 28 and 34 and Claims dependent thereon. Accordingly, Claims 26-27 and 33-40 are not unpatentable in view of Mittal and the Applicant respectfully requests the Examiner withdraw the §103 rejection of Claims 26-27 and 33-40 and allow issuance thereof.

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III. Conclusion

In view of the foregoing remarks, the Applicant now sees all of the Claims currently pending in this application to be in condition for allowance and therefore earnestly solicits a Notice of Allowance for Claims 21-40.

The Applicant requests the Examiner to telephone the undersigned attorney of record at (972) 480-8800 if such would further or expedite the prosecution of the present application. The Commissioner is hereby authorized to charge any fees, credits or overpayments to Deposit Account 08-2395.

Respectfully submitted,

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